



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

MARK D. ZUCKERMAN
Senior Counsel
E-mail: mzuckerm@law.nyc.gov
Phone: (212) 356-3519
Fax: (212) 788-9776

April 11, 2024

VIA ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Paul Phillips, et. al. v. The City of New York, et. al., 21 Civ. 8149
(ALC)(SLC)

Your Honor:

I am a Senior Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants in the above referenced matter. I write concerning the defendant Renard Beauchard's joinder at Docket 177 in the other defendants' motion to dismiss at Docket 141 herein, which is done in the interest of judicial economy. Although out of an abundance of caution Mr. Beauchard has joined in the entirety of the other defendants' motions at Docket 141, Mr. Beauchard is similarly situated to the other medical provider defendants (Krystalbella Murnane-Victorelli, Dr. David Rosenberg, Dr. Aung OO, Dr. Jasdeep Mangat, Terry Gravesande, Mireille Zamy, Terra Hailand, Christopher Johnson and Roman Maslovskiy), and Points III, IV and XI in defendants' supporting Memorandum of Law at Docket 143 are the Points in defendants' brief therefore equally applicable to Mr. Beauchard. As to footnote 10 at page 30 of defendants' Memorandum of Law, Mr. Beauchard was formerly a PAGNY employee.

As the Court has stayed plaintiffs' response to the other defendants' motion to dismiss pending the outcome of plaintiffs motion to strike, defendants have no objection to plaintiffs responding to Mr. Beauchard's joinder before or on a date to be determined by the Court, but at the same time as plaintiffs' response to the other defendants' motions to dismiss, also in the interest of judicial economy, as reflected by Mr. Beauchard's notice of joinder at Docket 175.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Mark D. Zuckerman
Mark D. Zuckerman

cc: All counsel (via ECF)